

MEMO ENDORSED

WILMERHALE

October 9, 2013

VIA FACSIMILE

Honorable Cathy Seibel
 United States District Court
 for the Southern District of New York
 The Honorable Charles L. Brieant Jr. Federal Building and
 United States Courthouse
 Room 218
 300 Quarropas Street
 White Plains, NY 10601-4150

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Re: *Bozella v. County of Dutchess, et al.*, No. 10 Civ. 4917 (S.D.N.Y.)

Dear Judge Seibel:

I write on behalf of Plaintiff Dewey R. Bozella with respect to the Court's recent revision to its Individual Practices, dated September 24, 2013, limiting Rule 56.1 Statements to 25 pages.

Mr. Bozella served a motion for partial summary judgment on June 14, 2013, which included a 54-page Rule 56.1 Statement. Those papers were served but not filed, pursuant to the Court's instruction to file motion papers after briefing is complete. In light of the Court's subsequent revised practices, Mr. Bozella respectfully requests clarification, or permission, *nunc pro tunc*, that he may file the previously-served Rule 56.1 Statement at the conclusion of briefing.)

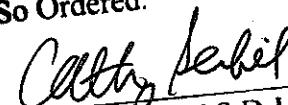
Mr. Bozella also notes that Defendants served a motion for summary judgment, (including a Rule 56.1 Statement) on September 13, 2013. Defendants' submission included a 128-page Rule 56.1 Statement, to which Mr. Bozella is currently preparing a response. Mr. Bozella does not oppose the filing of that Rule 56.1 Statement.

Respectfully submitted,


 Peter J. Macdonald

cc: Patrick T. Burke, Esq. (via email)

Application Granted / Denied
 So Ordered.


 Cathy Seibel, U.S.D.J.

Dated: 10/9/13

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Date October 9, 2013

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From Peter J. Macdonald Pages 2 (including cover)

Re Bozella v. County of Dutchess, et al., No. 10 Civ. 4917 (S.D.N. Y.)

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